UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
NEW YORK REGIONAL OFFICE
BROOKFIELD PLACE, 200 VESEY STREET
SUITE 400
NEW YORK, NEW YORK 10281-1022

WRITER'S DIRECT DIAL LINE
Kenneth Byrne
TELEPHONE: (212) 336-0041
FACSIMILE: (212) 336-1317
byrnek@SEC.GOV

November 13, 2014

By ECF

The Honorable Joseph F. Bianco
United States District Judge
Eastern District of New York
United States Courthouse
100 Federal Plaza
Central Islip, New York 11722

Re: SEC v. The NIR Group, et al., 11-CV-4723 (JFB)(GRB)

Dear Judge Bianco:

Plaintiff Securities and Exchange Commission ("Commission") respectfully submits the following status report pursuant to Your Honor's October 29, 2014 Order. On November 13, 2013, Your Honor entered a Final Consent Judgment against Defendant Corey Ribotsky ("Ribotsky") fully resolving all of the Commission's claims against him. In addition, on November 19, 2013, Your Honor dismissed all of the Commission's claims against Defendant The NIR Group, LLC based upon its dissolution. However, to date, Defendant Ribotsky has failed to pay any funds to satisfy the $14,500,000 that he was ordered to pay pursuant to the judgment entered against him by this Court. As a result, the Commission has begun collection proceedings against Defendant Ribotsky and is currently conducting discovery concerning his income, assets, and ability to satisfy the judgment.

With respect to the remaining Defendant, Daryl Dworkin ("Dworkin"), Your Honor previously entered a Final Consent Judgment against him on October 5, 2011 which fully resolved all of the Commission's claims for liability. Thus, the only outstanding issue was the Commission's claims for monetary relief against him. The Commission has been waiting for Defendant Dworkin to be sentenced in his criminal case before resolving the claims for monetary relief. Dworkin was sentenced on November 5, 2014 and we now intend to proceed with resolving this issue. *See USA v. Dworkin*, 10-CR-515 (RJD)(E.D.N.Y.). But settlement of Defendant Dworkin's monetary relief is subject to review and approval by the Commissioners and we anticipate that this process will likely take several weeks at a minimum. Therefore, we propose providing the Court with another status report regarding this issue on or before January 15, 2015.

Should Your Honor have any questions, we are available at the Court's convenience.

Respectfully Yours,

Kenneth Byrne
Senior Counsel

Enclosure(s)

cc Via Email: Counsel for Defendant's Corey Ribotsky and The NIR Group, LLC
Counsel for Defendant Daryl Dworkin